

5-9. Inspections and Information Gathering (1200 TN 350 5-9)

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, including Sections 8 and 9:
 - a. To perform the Environmental Protection Agency functions and responsibilities relative to the inspection of books and records.
 - b. To perform the EPA functions and responsibilities relative to the inspection of establishments or other places where pesticides or devices are held for distribution or sale, or any place where there is being held any pesticide the registration of which has been suspended or canceled.
 - c. To obtain and execute warrants for the purposes of performing an inspection or information gathering.
 - d. To carry out any other inspection and information gathering activities authorized by the FIFRA.
 - e. To require the carrying out of any other inspection and information gathering activities authorized by the FIFRA.
 - f. To designate representatives of the Administrator to perform the functions specified in paragraphs 1.a, 1.b, 1.c, 1.d and 1.e.

TO WHOM DELEGATED.

- a. The authorities in 1.a., 1.b., 1.c., 1.d., 1.e., and 1.f. are delegated to the director, Land and Chemicals Division (LCD); associate director, Office of Toxics and Pesticides, LCD; and the director, Office of Enforcement, Compliance and Environmental Justice (OECEJ).
- b. The authorities in 1.a., 1.b., 1.d., 1.e., and 1.f. are delegated to the chief, Pesticides and Asbestos Programs Branch, LCD.

3. LIMITATIONS.

- a. The director OECEJ may exercise these authorities only in multi-media cases.
- b. The director OECEJ must consult with the LCD designee before exercising these authorities.
- c. The delegates must consult with the regional counsel prior to requesting warrants.

4. REDELEGATION AUTHORITY.


- a. The authorities in 1.a., 1.b., 1.c. and 1.d. may be redelegated to the staff level.

- b. The authority in 1.e. and 1.f. may be redelegated to the branch chief level, and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- e. This authority may not be redelegated without formal amendment.

5. **ADDITIONAL REFERENCES.**

- a. Sections 8 and 9 of the FIFRA.
 - c. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
6. **SUPERSESSION.** Delegations Manual, FIFRA, Regional Delegation 5-9. Inspections and Information Gathering, 1200 TN RIII-142 (January 19, 2001).

Date 1/18/2017


Shawn M. Garvin
Regional Administrator